MINUTES OF REGULAR MEETING HELD APRIL 28, 2020

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, April 28, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

"The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield."

PRESENT: Mayor Brindle Council Members, Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

ABSENT: None

Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom

FLAG SALUTE

PRESENTATIONS

Administrator's Update

- Discussed the opening of the Conservation Center and thanked the Department of Public Works, the Director of Public Works, Greg O'Neil, DPW Supervisor, Rich Eubanks and Police Department personnel. Feels the process has run smoothly and discussed the number of permits purchased to date versus the number of permits purchased at this point last year. Also stated that the DPW staff feels the online purchase of permits works extremely well. In addition, discussed the potential for opening the Conservation Center on Saturdays, beginning May 2. Lastly, stated that the Town is hoping to begin the bulky waste program at the Conservation Center;
- Discussed improvements to Mindowaskin Park and stated that the contractor made some progress today due to the dry weather. Explained that once the pathway improvements are complete, Park Drive would be paved. Also discussed other improvements planned for Mindowaskin Park;
- Discussed the status of improvements to the coffee kiosk and announced that utility work, which caused significant delays for the project, was completed and interior work would begin next. Thanked the Town Engineer for his efforts with this project.

Mayor's Remarks:

- Thanked all for joining the meeting virtually and stated that she is joined by the entire Town Council on video, as well as the Town Administrator, Town Clerk, Police Chief, Town Planner, Town Attorney, and Town Engineer, with remaining department heads listening in with residents. Reminded all that, although the meeting is being live streamed for viewing on Facebook, public comment would only be accepted via Zoom. The replay would also be available afterwards on Facebook, YouTube, and TV 36. Stated that for those who receive her regular COVID-19 emails, tonight's comments would also serve as today's update;
- Provided an update of COVID-19 and announced that as of today, there are 113,856 confirmed cases of COVID-19 in New Jersey, with another 718 still under investigation. Currently, the County reports 12,188 cases, with Westfield reporting two (2) more, bringing the Town's case total to 216 to date. Explained that, for context, the last time a Town Council meeting was held, which was two weeks ago, there were 68,824 cases of COVID-19 in New Jersey, with 146 in Westfield. Informed all that a more detailed breakdown of statewide numbers is available online at the NJ Department of Health COVID-19 Dashboard:
- Announced that today Governor Murphy introduced the members of his Restart and Recovery Commission, who would advise on issues of public health, workforce development, and transportation; seek ways to maximize federal support; review potential

long-term investments; and ensure that restart and recovery works for every family. In addition, the Governor is signing an Executive Order permitting municipal governments to extend the grace period for property tax payments due until June 1. Under existing law, municipalities are only permitted to allow grace periods of up to ten (10) days. This information just became available today, and, as a result, the Town Council would be adding a resolution to tonight's agenda extending the second quarter tax payment grace period to June 1;

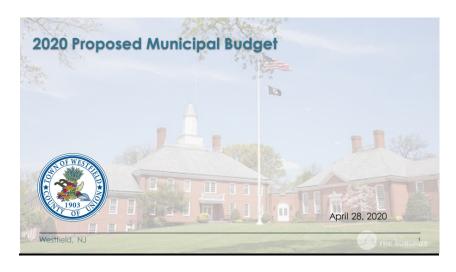
- Announced that today she signed a proclamation to honor the dedication of grocery store employees in Town as unsung essential workers during this crisis. These employees have been presented with unprecedented challenges, from tremendous increases in demand to social distancing operating modifications, while continuing to work diligently to enable all in the community to secure basic necessities amidst the pandemic. Stated that the proclamations would be posted for both Trader Joe's and Stop & Shop on the Town's website as a sign of the Town's ongoing gratitude for their continued commitment;
- Discussed questions she has received regarding the Town's reopening plans and explained that the timing would primarily be driven by the state. The Governor unveiled a plan yesterday which provided the metrics that would determine when things can reopen, but the timing remains uncertain, which she understands is frustrating for everyone;
- Discussed the potential reopening of Town parks, stating that some residents want it to happen now, while many residents are strongly in favor of waiting longer. Explained that she remains concerned that Westfield continues to experience a consistent amount of new cases, with only a small percentage coming from long term care facilities, indicating that community spread is still happening. There are also concerns that if parks are reopened in advance of the County parks, it would push crowds to the Town's parks, particularly as the weather improves. Explained that, even now, the Town is seeing people violating the park closures, and the Police Department has begun to utilize drones with a recorded siren and message for additional enforcement. Once the parks are opened, the police need to be confident that they will have the capacity to manage crowds and ensure social distancing. That being said, the Town is discussing a reopening plan for the parks which would most likely be done in an incremental fashion similar to how they closed, which was done in coordination with the Board of Education and in consideration of County closures and other municipalities' practices. To manage expectations, the parks reopening is something she is evaluating and planning for on an ongoing basis with input from the Town Administrator, Police Chief, Regional Health Officer, and members of the Town Council. One of the key indicators would be to continue to watch the prevalence of community spread. Explained that she has been very upfront with the community from day one of this crisis and believes that when citizens are asked to make sacrifices, nothing but the truth is expected in return, which has been, and would continue to be, her commitment to residents. Stated that she would continue to focus on facts, guided by values and principles, not politics or popularity. Also stated that she is looking forward to when Town officials could pivot from saving people to serving people, which she believes is just on the horizon if everyone can "hang in there" for just a bit longer;
- Discussed the introduction of the 2020 budget, explaining that it is the primary purpose of tonight's meeting. Stated that it reflects a lot of revenue uncertainty stemming from unknown tax collection rates and lost revenue from sources like parking, courts, construction, investments, and the pool. Stated that the Town has cut expenses significantly, and that there is a list of additional expenses that the Town is prepared to cut if receipts come in lower than anticipated. Explained that since being elected, her administration has strived to find the right balance between keeping an appropriate level of surplus for unexpected events and putting taxpayer dollars to work for residents. Stated that this has been accomplished through expansive road paving, investment in equipment and automation, and using surplus to lower the municipal tax rate to zero last year to mitigate uncertainty over the revaluation. This has all been accomplished while maintaining a 15-20% surplus level, which is important for the Town to maintain its AAA bond rating. Feels the Town is very fortunate to be in a strong financial position to weather this crisis in 2020, but the longer-term view remains less certain, just as it does financially for many individuals and businesses given the current economic environment. Municipalities have not been promised any financial assistance to offset pandemic-driven revenue declines, so they must be discerning, flexible, and methodical to determine the best path forward to deliver uninterrupted services to residents. Explained that this unprecedented health crisis has further illuminated the challenges that she addressed at the March 10 Town Council meeting, particularly regarding the Town's over reliance on

revenue from discretionary sources. Feels every crisis also brings opportunity, and she looks forward to working with the community to re-imagine the possibilities for recovery, and that she is confident that the Town would emerge stronger together with a bright future ahead;

• In closing, extended birthday wishes to Councilman Dardia. Also acknowledged a special coincidence that was brought to her attention earlier today, stating that today is not only National Workers' Memorial Day to honor those killed, disabled, injured, or made unwell by their work, but it is also National Superheroes Day. Feels the community would join her in thanking all of the superheroes who are getting everyone through the pandemic, from the grocery store employees mentioned earlier, to postal carriers, first responders, medical professionals, and all other essential employees who continue to rise to the occasion for the benefit of everyone.

2020 Budget Presentation

Councilwoman Habgood and the Town Administrator presented the following:



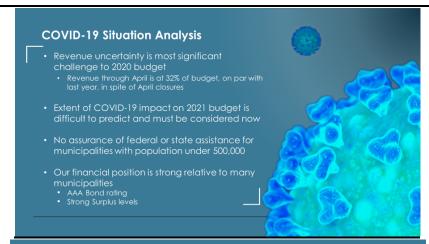
Budget Process and Timeline



Budget Process and Timeline



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2020 Budget Goals in a COVID-19 Era

Lowest Possible Tax Levy

- Reduced appropriations by -1.3% despite a +2.32% increase in non-discretionary costs
- Projecting \$1.2MM (-6.3%) decline in revenues due to lost parking, court, construction fees & decline in investment revenue
- +\$175K in additional revenue projected through sale of assets
- 1.95% proposed tax levy is lower than 2.7% inflation rate

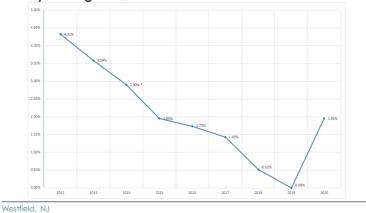
Reduce Spending

- By reducing overtime, attrition, and deferring new hires, Salary/Wages is almost flat (.23%) despite union wage increases
- Operating expenditures were cut in almost every department
- Reduced Capital improvements \$1.2MM (93%) by eliminating/deferring equipment purchases

Conserve Surplus

- Surplus level had been replenished by \$2mm to \$11.5 million at YE19
- 2020 budget will utilize \$4.5 million of surplus to lower tax rate
- \$7 million surplus balance leaves room to absorb extended disruptions to our federal, state and local economy

Tax Levy Averaged .8% Increase Over Last 3 Years



Council Meeting 5 April 28, 2020

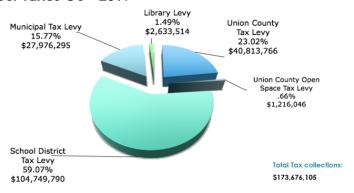
Historical View on Surplus

Year	Available Jan 1	Appropriated	Remaining	Generated
2009	\$2,848,423	\$2,700,000	\$148,423	\$1,907,122
2010	\$2,055,545	\$1,840,000	\$215,545	\$1,627,557
2011	\$1,843,103	\$1,719,000	\$124,103	\$74,391
2012	\$198,494	\$0	\$198,494	\$1,431,303
2013	\$1,629,798	\$750,000	\$879,798	\$3,840,667
2014	\$4,720,465	\$906,023	\$3,814,442	\$2,776,449
2015	\$6,590,891	\$167,172	\$6,423,719	\$3,159,303
2016	\$9,583,023	\$974,344	\$8,608,679	\$3,800,986
2017	\$12,409,665	\$2,174,344	\$10,235,321	\$4,275,196
2018	\$14,510,517	\$4,200,000	\$10,310,517	\$4,200,840
2019	\$14,511,357	\$4,994,000	\$9,517,357	\$1,990,336
2020	\$11,507,693	\$4,505,000	\$7,002,693	?

Investing \$4,505,000 of the 2020 available surplus will leave the town with a \$7mm surplus – 15% of the budget

Westfield, NJ

Where Your Taxes Go - 2019



Westfield, NJ

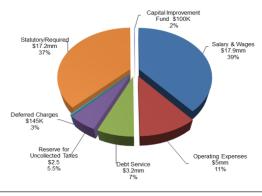
Anticipated Miscellaneous Revenues

2020 +/-Anticipated vs. 2019 • Parking Fees (Permits, Meters & Paystations) \$1,305,000 (-\$425,000) •Sewer Fee \$2,100,000 (+\$390,000) \$ 800,000 (-\$430,000) \$ 528,800 (-\$329,940) \$ 646,018 (+\$13,057) •Building Department Fees •Miscellaneous Fees & Permits •Health Service Agreements •Municipal Court Fines and Fees \$ 338,000 (-\$227,000) •Cable Franchise Fees \$ 460,508 (-\$ 8,962) •Interest on Investments \$ 220,000 (-\$160,000) •Interest & Costs on Taxes \$ 225,000 (-\$ 25,000)

Significant reductions in anticipated revenues due to effects of COVID-19 pandemic.

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2020 Appropriation Highlights



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Municipal Appropriations Summary

	2018	2019	2020	Inc./Dec.
S&W	\$17,326,844	\$17,851,123	\$17,898,378	+ \$47,255 (0.26%)
Operations	\$4,820,702	\$5,076,372	\$5,045,805	- \$30,567 (-0.60%)
Debt Service	\$3,116,660	\$3,120,908	\$3,209,361	+ \$88,453 (2.83%)
Reserve for UT	\$2,390,000	\$2,440,000	\$2,480,000	+ \$40,000 (1.64%)
Deferred Charges	\$190,000	\$190,000	\$145,000	- \$45,000 (-23.68%)
Statutory/Required	\$16,070,080	\$16,721,963	\$17,206,862	+ \$464,899 (2.90%)
Capital Imp. Fund	\$1,725,000	\$1,300,000	\$100,000	- \$1,200,000 (-92.31%)
Total	\$45,639,286	\$46,700,366	\$46,085,406	- \$614,959 (-1.32%)

Westfield, NJ

Statutory/Required Expense Detail

Health Insurance + \$ 702,000 (14.22%) **RVSA** + \$ 219,877 (5.42%) PFRS Pension + \$ 95,438 (3.73%) - \$ **26,597** (-2.58%) PERS Pension Utilities + \$ 46,500 (2.87%) + \$ 15,000 (2.26%) Social Security Other Insurance (JIF) <u>- \$ 1,819 (-0.17%)</u> Total + \$1,050,399

Statutory/Required Expenses represent 37% of the total budget.

RVSA fee has increased 27% since 2016.

Westfield, NJ

Operating Expense Detail

Public Works - \$ 207,860 (9.28%) (eliminates fall tree planting, curbside bulky waste program, salt for snow storms since we have 2019 Police Dept. - \$ 129,440 (16%) (transitioning to leasing replacement vehicles vs. purchasing, capital non-recurring items and parking admin.) Building Dept. - \$ 110,550 (55%) (eliminates replacement vehicle purchases) Health Dept. + \$ 56,297 (58.23%) (Includes \$50,000 expense which is offset by matching grant for Public Health Capacity program) + \$ 71,901 (8,71%) (includes increases in general legal services and expense of new redevelopment co Administration + \$ 19,340 (16.93%) (includes \$50,000 expense for redevelopment pla Planning Board Operating Expenses represent 11% of the total budget. - \$ 2,800 (-8.48%) Crossing Guard Program - \$ 20,000 (-5%) (Includes savings from school closings due to pandemic) Public Events - \$ 5,000 (-13.89%) (includes savings from some event and prog Fire Dept. - \$ 90,125 (-25.66%) (includes \$45,000 savings from feasibility study, cap Westfield, NJ

Salary & Wage Detail

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Police Dept.
                                 + $ 273,316 (4.06%) (Police & Parking)
Health Dept.
                                 + $ 71,028 (7.58%)
                                 + $ 59,318 (5.1%)
Building Dept.
                                + $ 54,556 (8.26%)
                                                          Salary & Wages represent 39% of the total budget.
                                + $ 27,999 (0.91%)
Public Works
                                + $ 15,173 (2.12%)
                                                            Public Safety Services
Engineering
                                + $ 11,290 (2.57%)
                                                            represent 58% of total S&W.
Court
Recreation
                                + $ 10,448 (5.36%)
Fire Safety Official
                                - $ 12,873 (-7.58%)
                                                           Public Works represents 17% of S&W.
                                - $ 78,000 (-2.09%)
Fire Dept.
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2020 Budget is Only a Plan

Given the uncertainties, we are proposing a conservative budget to ensure that we can be resilient to additional impacts of COVID-19—in 2020 and beyond

Westfield, N.I.

Progress against the budget will be vigilantly monitored to see where additional action may be necessary, including:

- Ongoing discussions seeking less expensive alternatives to our current health insurance program
- Discuss with the Westfield Senior Housing Corporation lease renewal and additional revenue to the Town
- Conduct cost-benefit analysis on \$170K+ leaf collection process and assess possible lower cost alternatives
- As last resort, consider employee furloughs and/or adjustments to current benefit packages
- Introduce Town solar solutions to save energy costs on a going forward basis; RFQ is being released soon
- Discuss with ACMS, our crossing guard company to restructure program in Sept. 2020
- Evaluate the Westfield Memorial Pool revenues and costs to ensure that we can operate on a fiscally prudent basis in 2020

If things are better than expected, we will work to catch up on Master Plan and Parks Plan key priorities

Westfield, NJ

2nd Quarter Tax Payment

Due by June 1st

- Governor Murphy issued an executive order today allowing municipalities to extend the grace period for 2nd Quarter taxes until June 1st
- Town Council will be adopting resolution tonight to extend the grace period to
- Town remains obligated to pay the School District (5/7) and County (5/15) taxes on time regardless of what we collect, or risk penalties for failure to pay
- With 50% of property taxes paid via escrow, we are optimistic about our ability to meet 2Q obligations but remain concerned about 3Q in light of 90 day mortgage extension

Westfield, NJ

COVID-19 Silver Linings:

Our community has never been stronger















Fortnite Fundraise



DWC and Rec Dept

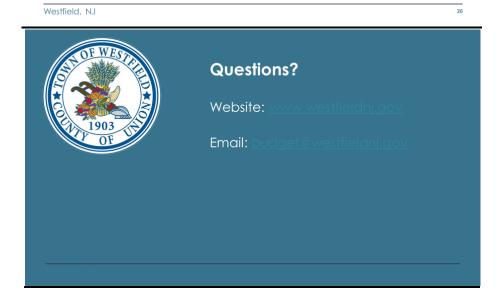
Westfield, NJ

And Progress Continues...



In Summary

- While the uncertainty of this crisis has created many unforeseen challenges, we are well positioned to weather it financially in 2020 and beyond
- This crisis has validated the need to diversify and grow our tax base:
 - Pivot from our dependence on revenue that undermines good long term policy (parking tix, road opening/tear down permits) to new revenue that is derived from smart growth and planning (PILOTS, commercial properties/tenants)
- Our post-crisis recovery provides an opportunity to think creatively and expansively about how we want to live, work, and play in a world that will be forever changed



Q&A-2020 Municipal Budget

Councilman LoGrippo discussed the proposed surplus balance of approximately \$7 million and asked the Town Administrator how this might impact the Town's bond rating.

The Town Administrator explained that a AAA bond rating usually requires a surplus balance of fifteen (15%) percent to twenty (20%) percent of the total budget, which is still being maintained with a \$7 million balance. Explained that while he would prefer a higher surplus level, he feels the Town is still in good financial shape.

Councilwoman Habgood discussed the investment of surplus to help manage the tax rate. Also explained that the expectation is to replenish surplus by year end to help maintain a healthy balance. In addition, stated that she has had discussions with the Town Auditor to ensure the Town maintains its AAA bond rating.

The Town Administrator read questions that were submitted electronically by residents. The first were submitted by Brendan Murray, 564 Highland Avenue as follows, "How much of the Union County tax revenue comes back to Westfield? What is our percentage of contribution of the overall revenue of Union County? Why don't we have better representation on the County platforms given our contribution?"

The Town Administrator responded to Mr. Murray's questions, stating that it is important to note that Union County introduced its budget with a zero (0%) percent tax increase. Explained that this does not necessarily mean there would be a zero (0%) percent increase for every community within Union County because of how taxes are apportioned. Westfield is still waiting for its specific number but feels a flat budget by Union County is good news. Referred to other questions asked by Mr. Murray and stated that he cannot answer them at this time but would follow up. Noted that Westfield and Summit are the largest contributors to Union County because they have the highest property tax values within the County. Also mentioned that a member of the Union County Freeholder Board, Kimberly Mouded, is a Westfield resident so the Town does have representation on the Freeholder Board.

The Town Administrator read a question submitted by Doug MacNeil, 624 Kimball Avenue, for the record. Mr. MacNeil asked, "Since the library is closed, is there any plan to ask the library to contribute money to the Town?"

The Town Administrator discussed ways in which the Westfield Memorial Library contributes to the Town, explaining that the Town bills the Library for the services it provides. Also explained that there are no further contributions that can legally be considered by the Town, but the Library Board of Trustees is considering ways to save money. In addition, the Town Administrator discussed the statutory funding requirement that municipalities must provide to libraries.

The Town Administrator read a question submitted by Ray Garguilo, 1001 Cranford Avenue, for the record. Mr. Garguilo asked, "I am trying to understand the budget. It appears the impact from COVID-19 is a reduction of \$1.2 million of revenue. I understand that may change as we move forward, but am I correct?"

The Town Administrator responded to Mr. Garguilo and explained that he is correct. The Town is projecting a reduction of \$1.2 million of revenue. This assumption is made upon multiple months of decreased revenue in various areas, including parking, court and construction. If the decrease is more than anticipated, the Town would need to adjust its spending plan.

The Town Administrator read a question submitted by Matt Kadosh of TapInto Westfield for the record. Mr. Kadosh asked, "What about the tax increase on the average home?"

The Town Administrator stated that the average assessed home in Westfield, which is approximately a \$796,000 assessment, would realize a tax increase of approximately \$4.50 per month, totaling just over \$50 per year for Town purposes.

The Town Administrator read a second question submitted by Ray Garguilo for the record. Mr. Garguilo asked, "So that \$1.2 million is offset by the reduction of capital funding?"

The Town Administrator responded to Mr. Garguilo and explained that the anticipated reduction in revenue was partially offset by the reduction in capital funding, but other funding was reduced as well.

The Town Administrator read a comment submitted by Drew Escaldi, 858 Dorian Road, for the record. Ms. Escaldi stated, "I would like to thank the councilmembers and committees specifically for all of their hard work".

The Town Administrator thanked Ms. Escaldi for her comment.

Councilwoman Habgood referred to a comment that was submitted which related to the Town's Silver Linings Program and announced that the Feed the Front Lines group is selling lawn signs to help support the undertaking and provided the website address for those interested.

The Town Administrator mentioned that the comment discussed by Councilwoman Habgood was submitted by Michael Esposito.

The Town Administrator read a comment submitted by Greg Kasko, 434 Everson Place, for the record. Mr. Kasko stated, "Thank you for providing Saturday hours for the Conservation Center."

The Town Administrator stated that the Conservation Center would open this coming Saturday and would continue to be open on Saturdays for the remainder of the season. The Town also hopes to be able to open on Sundays as well.

Mayor Brindle thanked Councilwoman Habgood, as chair of the Finance Policy Committee, as well as committee members LoGrippo, Parmelee and Contract for their efforts with the budget. Discussed the amount of time and effort Councilwoman Habgood has contributed to the budget. Feels her professional experience is invaluable and she hopes the community recognizes what an asset Councilwoman Habgood is to the Town. Also thanked the Town Administrator for his hard work and effort, as well as all of the department heads. Thanked all for working together and stated that she has spoken with several Mayors and she appreciates the strong position that Westfield is in.

The Town Administrator thanked Mayor Brindle for her comments. Referred to previous comments concerning AAA ratings and explained that part of the AAA rating is having a very strong management team and a governing body that is willing to act accordingly. Explained that these are intangibles that not all municipalities have and thanked the Town Council for its support.

Councilwoman Habgood thanked Mayor Brindle and the Town Administrator for their comments. Feels it has been great teamwork and thanked the members of the Finance Policy Committee for all of their dedication and hours working on the budget, particularly the committee's co-chairman, Councilman Contract.

APPOINTMENTS

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2162

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING GROUND MOUNTED AIR CONDITIONING EQUIPMENT

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2163

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING POWER GENERATORS

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2164

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD PERTAINING TO PERMITTED YARD ENCROACHMENTS

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2165

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REVISING THE SUBMISSION REQUIREMENT FOR PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPLICATIONS

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2166

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD LISTING ALL ZONE DISTRICTS

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2167

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING NOTICE OF HEARINGS

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2162 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING GROUND MOUNTED AIR CONDITIONING EQUIPMENT" by Councilwoman Mackey, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:
Parmelee
LoGrippo
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

An ordinance entitled, "GENERAL ORDINANCE NO. 2163 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING POWER GENERATORS" by Councilwoman Mackey, seconded by Councilman Dardia was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:
Parmelee
LoGrippo
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

An ordinance entitled, "GENERAL ORDINANCE NO. 2164 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD PERTAINING TO PERMITTED YARD ENCROACHMENTS" by Councilwoman Mackey, seconded by

Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:
Parmelee
LoGrippo

Katz

Mackey Contract Dardia Boyes Mayor Brindle

An ordinance entitled, "GENERAL ORDINANCE NO. 2165 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REVISING THE SUBMISSION REQUIREMENT FOR PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPLICATIONS" by Councilwoman Mackey, seconded by Councilwoman Habgood was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:
Parmelee
LoGrippo
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

An ordinance entitled, "GENERAL ORDINANCE NO. 2166 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD LISTING ALL ZONE DISTRICTS" by Councilwoman Mackey, seconded by Councilman Dardia was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:
Parmelee
LoGrippo
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

An ordinance entitled, "GENERAL ORDINANCE NO. 2167 - AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING NOTICE OF HEARINGS" by Councilwoman Mackey, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood Nays: Absent:
Parmelee
LoGrippo
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

BIDS

MINUTES

On a motion by Councilman Boyes and seconded by Councilman LoGrippo, Council approved the Minutes of the Town Council Regular Meeting held April 14, 2020.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Bob Pinheiro, 228 Grove Street, discussed the closing of Town parks and referred to Mayor Brindle's comments in which she indicated that this decision is mostly guided by when the Governor decides to open State and County parks, as well as the number of infections in Westfield. Mr. Pinheiro stated that other municipalities, including Jersey City, New Providence and Summit are opening their parks, even if it is only for exercise purposes. Asked why a decision on the Town's parks could not be made on the basis of what is best for Westfield, rather than by what is decided by the Governor.

Mayor Brindle explained that she is relying on the Governor for overall guidance, but this decision is not necessarily being driven by when the State decides to open its parks. Explained that the decision to close the Town's parks was made because it was felt to be what was best for Westfield. It was also based upon guidance by the Police Chief and the Police Department's capabilities during this crisis because there was a significant amount of non-compliance when parks were open. Stated that the Town has made this decision based upon what is happening in Westfield, what the capacity is for enforcement, and what the cases indicate based upon community spread. In addition, a decision to open parks may or may not coincide with a decision by the State but it would be helpful to Westfield if the State allowed County parks to open because that would provide more options for residents.

Mr. Pinheiro suggested that the parks be open for biking, running and walking, with sports related activities, such as basketball courts, being closed.

Mayor Brindle referred to her opening remarks and stated that the Town would probably open parks as it closed them, which was gradually, and feels when they are opened, only limited activities would be allowed, such as those mentioned by Mr. Pinheiro. Feels the Town is not "there yet" from a health perspective or from a compliance and enforcement perspective. Assured Mr. Pinheiro that any decision would be based upon what is best for Westfield.

Councilman LoGrippo requested additional information concerning the drones that were mentioned by Mayor Brindle in her opening remarks.

The Police Chief stated that the Police Department has acquired two (2) drones and that two (2) police officers recently became certified as operators. Explained that the Police Department is constantly looking for new technology for use in police work.

Emily Root, 738 Mountain Avenue, thanked the Town Council for their efforts and feels Westfield is lucky to have them. Also feels the Town will figure out the issue with the parks in time. Stated that she was impressed with the budget presentation and thanked Councilwoman Habgood and the Town Administrator for their efforts. Feels the fact that the Town still has a \$7 million surplus balance during these unprecedented times is impressive.

Doug MacNeil, 624 Kimball Avenue, explained that because the parks are closed many are walking in the road rather than using sidewalks causing him to move into the traffic lane while riding his bike. Suggested that Mayor Brindle communicate to residents to use the sidewalks when walking and to possibly walk single file when there is a need to walk in the road.

Mayor Brindle thanked Mr. MacNeil for his comments and stated that she would communicate his suggestion to residents.

Hearing no comments, Mayor Brindle closed this portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Parmelee, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$146,317.79 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilman Parmelee, were unanimously adopted.

Resolution No. 94

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

Name	Account	Class	Fee
Daniela DeFilippis 543 Hort St Westfield, NJ 07090	#195 Membership Refund/Pool 03-55-920-202	Pool Membership 2020 Refund-Resident Famil	
John Colasanti 246 Maryland Street #1 Westfield, NJ 07090	T-05-600- 071 Tennis/Rec	Refund Program Cancelled/Tai John Colasanti	\$30.00 Chi Spring
Maria Helbert-Blanco 417 Kimball Ave #1 Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Cancelled/Tai Maria Helbert-Blanco	\$30.00 Chi Spring
Joyce Nelson 424 Rahway Ave #1 Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Cancelled/Tai Joyce Nelson	\$30.00 Chi Spring
George Urban 1291 Poplar Ave #1 Mountainside, NJ 07092	T-05-600-071 Tennis/Rec	Refund Program Cancelled/Tai George Urban	\$30.00 Chi Spring
Stefanie Bendure 24 Hawthorn Drive (Thu) Westfield, NJ 07090	T-05-600-071 Tennis/Rec (sports clinics /9-05-600-00	Refund Program Cancelled/Tra 00) Will Bendure	\$115.00 ck & Field

Resolution No. 95

WHEREAS, the Recreation Commission of the Town of Westfield determined that there was a need for a food concession for the 2020 season at the Westfield Memorial Pool; and

WHEREAS, on March 16, 2020, a Request for Proposals (RFP) for the aforesaid service was advertised to be returnable on April 13, 2020; and

WHEREAS, on April 13, 2020, two (2) responses to the RFP were received; and WHEREAS, Lizzard Inc. DBA Suspenders, 1131 Magie Avenue, Union, New Jersey 07208 submitted a proposal to perform said services with a payment to the Town of Westfield totaling \$30,499.50; and

WHEREAS, the Recreation Commission has found the proposal to be responsive to the RFP and is recommending that the Town Council authorize an award of contract to Suspenders.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield be and hereby authorizes an award of contract to Lizzard Inc. DBA Suspenders, 1131 Magie Avenue, Union, New Jersey 07208 for the food concession for the 2020 season at the Westfield Memorial Pool with a payment to the Town of Westfield totaling \$30,499.50.

BE IT FURTHER RESOLVED that the proper Town Officials be authorized to effect whatever actions are necessary in the execution and discharge of this contract.

<u>Town Council comments-Resolution No. 95</u>:

Councilwoman Habgood discussed Resolution No. 95 which authorizes an award of contract for food concession for the 2020 season at Westfield Memorial Pool. Explained that this contract is dependent upon the opening of the pool and adjustments may be necessary, but there is no obligation being incurred by the Town by awarding the contract.

Resolution No. 96

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Town of Westfield has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Town meets the necessary conditions to participate in the program for the 2020 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Westfield that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

- 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
- 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
- 3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
- 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
- 5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Resolution No. 97

WHEREAS, the Local District School Tax for the year July 1, 2019 to June 30, 2020 was raised in the 2019 Tax Levy in the sum of \$104,749,790.00, and

WHEREAS, the statutes permit the deferral of such School Tax up to 50% of the School Tax Levy or \$50,966,994.00,

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Westfield, County of Union, that the Deferred School Tax for Local District School purpose be the sum of \$52,374,895.00 as of December 31, 2019.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services.

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Katz was adopted by the following roll call vote:

Resolution No. 100

WHEREAS, N.J.S.A. 54:4-67(a) permits the governing body by resolution to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became delinquent; and

WHEREAS, the statute provides that the rate of interest cannot exceed 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made; and

WHEREAS, the Town of Westfield adopted, on January 7, 2020, a resolution setting the Rate of Interest for Delinquent Taxes at the rate of 8% per annum on the first \$1,500 of a delinquency and 18% per annum on that amount of the delinquency, as defined in N.J.S.A. 54:4-67, in excess of \$1,500 on all delinquent taxes and sewer fees during the year 2020, to be calculated from the date the tax or fee was due until the date of actual payment; and

WHEREAS, taxes payable for the second quarter of the year are due on May 1 of each year, with the grace period running through May 11, 2020 for second-quarter property taxes; and

WHEREAS, due to the COVID-19 pandemic, property taxpayers throughout Westfield and the State of New Jersey may be suffering from one or more financial hardships caused by or related to the pandemic, including but not limited to a substantial loss of or drop in income and additional expenses such as those relating to necessary healthcare; and

WHEREAS, on April 28, 2020, Governor Philip D. Murphy signed Executive Order 130, pursuant to and under the authority of his Declaration of a Public Health Emergency and State of Emergency, in which he declared that the strict enforcement of certain statutory provisions relating to property tax grace periods is detrimental to the public welfare; and

WHEREAS, Governor Murphy further authorized the governing bodies of municipalities throughout the State to adopt a resolution extending the property tax delinquency grace period from May 11, 2020, through a date no later than June 1, 2020, for the payment of second-quarter property taxes.

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Westfield, in the County of Union, does hereby extend the delinquency grace period on the payment of second quarter property taxes through and until June 1, 2020.

BE IT FURTHER RESOLVED, that the Clerk of the Town of Westfield shall notify the Director of the Division of Local Government Services in the Department of Community Affairs of this

action taken by the Town Council, as memorialized in this Resolution, not later than the third business day next following the adoption of this Resolution.

Yeas: Habgood Nays: Absent:
Parmalee
LoGrippo
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Contract was adopted by the following roll call vote:

Resolution No. 98

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2020;

BE IT FURTHER RESOLVED that said Budget or Summary be published in the Westfield Leader and/or The Star Ledger in the issue of May 7, 2020. The Governing Body of the TOWN OF WESTFIELD does hereby approve the following as the Budget for the year 2020:

Yeas: Habgood Nays: LoGrippo Absent:
Parmalee
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

Notice is hereby given that the Budget and Tax Resolution was approved by the Town Council of the Town of Westfield, County of Union, on April 28, 2020.

A hearing on the Budget and Tax Resolution will be held at the Town of Westfield on May 26, 2020 at 8:00 PM at which time and place objections to said Budget and Tax Resolution for the Year 2020 may be presented by taxpayers or other interested person.

Town Council comments-2020 Municipal Budget-Resolution No. 98:

Councilman LoGrippo stated that he would not be supporting the 2020 Municipal Budget but that he enjoyed working with Finance Policy Committee members. Discussed the proposed tax increase and surplus balance prior to the pandemic. Also discussed the proposed surplus balance prior to Mayor Brindle's election. Feels some additional items could have been considered, such as a waiver of parking permit fees and a reduction in Conservation Center fees. Also mentioned that other municipalities, including Scotch Plains, are introducing budgets with a zero (0%) percent increase. Thanked all for their efforts but stated that he would prefer a \$10 million surplus balance rather than the \$7 million balance that has been proposed. Also mentioned his support for the budget the past two (2) years under Mayor Brindle. Reiterated his preference for a higher surplus balance, as this is how he would manage his own finances. Also stated that he would have liked the Town to move forward with some of the capital improvements that were discussed, such as park improvements.

Councilman Contract feels the proposed budget is a good budget and a good fiscal map for the Town despite the current circumstances. Discussed the surplus balance and feels it is important to note that the \$7 million balance is a "snapshot" in time, because surplus is regenerated as the year progresses. Feels surplus balances must be compared at the same time each year, and to compare the budget surplus balance at the end of the year to the balance at the beginning of the

next budget year is not a fair comparison. Also feels the surplus balance will regenerate to approximately a \$9 million level by year end, which is a level that the Town's auditor is comfortable with and a level that he feels is appropriate. Stated that taxpayers were not supportive of the \$14 million surplus balance that was previously maintained by the Town.

Councilman LoGrippo feels it will be difficult to regenerate surplus to the previous level and also feels next year will be a more difficult budget year.

Mayor Brindle referred to Councilman LoGrippo's comments and asked how he would achieve a zero (0%) percent tax increase while maintaining a higher surplus balance.

Councilman LoGrippo discussed the surplus level when Mayor Brindle was first elected, which was \$14.5 million. Also stated that revenue has decreased over the past two (2) years during a great economy and he does not feel that should have happened. Also discussed increased expenses, such as attorneys' fees. Discussed the management of personal finances and instances when citizens live above their means. Feels the Town has been living above its means and spending more than it has taken in.

Mayor Brindle stated that while she respects how Councilman LoGrippo feels, she questions his logic. Stated that when she campaigned for Mayor, many were concerned that the Town was maintaining an exceptionally large surplus while there was a specific deterioration to infrastructure. Stated that it was for this reason that she was elected. Also stated that she is only delivering on the promise she made two (2) years ago to be smarter and more strategic. Referenced Councilman LoGrippo's comments concerning revenue decreases and stated that intentional decisions were made not to generate revenue that undermined good long-term policy. Discussed parking tickets as an example and stated that the issuance of parking tickets undermined the success of Downtown Westfield. Also discussed a decision to reduce the issuance of demolition permits because many were not supportive of certain houses being demolished. Lastly, stated that road opening permits were also a big contributor to discretionary revenue. These items were intentionally reduced because she believes they were not sustainable for the long-term for quality of life. Also stated that she takes a slight offense to Councilman LoGrippo's statement as to how he manages his personal finances because she manages her finances the same way. Feels Westfield is a vibrant and growing Town that needs to invest in growth strategies for the future and believes this is something that has been lacking for the past (10) years. Stated that it might be a difference in philosophy, but she believes Westfield's best days are ahead and there is a need to invest appropriately. Stated that a \$7 million surplus by another Town's metric is great and feels a \$10 million metric is somewhat artificial. Also stated that when Councilman LoGrippo began his term on the Town Council there was no \$10 million surplus and that balance is a new phenomenon. Lastly, stated that residents did not want the Town to maintain a high surplus but wanted the money invested in their roads and other infrastructure or returned to the taxpayers.

Councilman LoGrippo stated that the majority of road improvements in 2019 were done by Elizabethtown Gas, not the Town.

Mayor Brindle feels that does not matter. Stated that eight (8) miles of roads were paved by the Town but the arrangement the Town made with Elizabethtown Gas for road paving could have been done years ago. Feels someone should have been thinking innovatively to have roads paved on "someone else's dime". Also discussed the eight (8) miles of road paved by the Town and stated that it is four (4) miles more than the Town had paved previously.

Councilman LoGrippo mentioned improvements to the coffee kiosk and the cost involved. Requested information concerning the "break even" on this project.

Mayor Brindle feels the coffee kiosk is another example of a lack of innovative thinking and stated that it is an opportunity to generate revenue for the Town. Explained that this was another issue she heard about when she was running for Mayor. Stated that she views everything as a potential investment and a way to generate revenue for the Town.

Councilman LoGrippo discussed the need for a "rainy day" fund and expressed concern that the Town will not have these funds going forward, specifically over the next two (2) years. Reiterated his request for the break-even analysis for the coffee kiosk.

Mayor Brindle stated that the Town would have a better idea once it completes the RFP (Request for Proposals) process for a concessionaire, but if it winds up being a three (3) year return on investment, feels that is good. Explained that the kiosk was vacant for five (5) years when it could have been a revenue generator for the Town. Also stated that train station improvements is another project she would like to see move forward.

Councilman LoGrippo stated that over the past two and a half (2.5) to three (3) years, \$7.5 million in surplus has been used with no field improvement project done, for which he is a big proponent.

Councilman Contract feels it important to discuss issues in the proper context. Feels it is not accurate to indicate that surplus has been reduced \$7.5 million with "nothing to show for it". Stated that the use of surplus helped the Town move forward with a zero (0%) percent tax increase in 2019 and a half percent (.5%) percent tax increase in 2018. Explained that even with the increase proposed for 2020, the average is .8% over the past three (3) years. Residents have asked that surplus be returned to them either through a tax decrease or through investments, and the Town has done both over the past two (2) years. Also reiterated his previous statement that the correct surplus balance to reference is the number at the end of the budget year, not at the beginning.

Mayor Brindle stated that she is grateful for Councilman LoGrippo's contributions but is puzzled by his decision in 2019 versus 2020. Also stated that she agrees with Councilman LoGrippo's comment concerning a large surplus being a "rainy day" fund, which is what the Town is experiencing at this time with the pandemic.

Councilman LoGrippo explained that his main concern is that the he believed the Town would maintain a \$9.5 to \$10 million surplus level, but with the 2020 budget, it would be reduced to \$7 million.

Councilwoman Habgood referenced Councilman LoGrippo's suggestion that certain fees should have been reduced for residents and explained that if those fees were reduced, there would have been an even greater negative impact to the surplus balance. Explained that the budget review involved a balance of the tax levy and utilizing the capital the Town has at its disposal. All decisions were made with the best interest of Westfield residents in mind. Welcomed any ideas Councilman LoGrippo has to generate new revenue for the Town.

Councilman LoGrippo feels if the Town had managed its finances a little better over the past year, it would be in a better position to reduce some fees for residents.

Councilwoman Habgood stated that she would encourage Councilman LoGrippo to raise these points during Finance Policy Committee meetings rather than when the budget is being presented because it is too late in the process to consider or incorporate them.

Councilman LoGrippo stated that as of Sunday afternoon he was encouraging the Finance Policy Committee to consider a reduction in the interest charged on delinquent tax payments but there was no support, yet the Town Council is now considering a resolution to extend the grace period for delinquent tax payments.

Councilwoman Habgood stated that she did not support a decrease in the interest on delinquent tax payments because the NJ Department of Community affairs strongly advised municipalities not to make any decision until there was some guidance or a decision from the Governor's office, which did not happen until today.

Councilman LoGrippo discussed the NJ League of Municipalities and stated that municipalities across the state were making decisions concerning delinquent tax payments on their own and prior to the Governor's decision today.

Mayor Brindle referenced Fanwood Mayor Colleen Mahr who was President of the League of Municipalities and stated that Mayor Mahr was advising her on this matter.

Councilman LoGrippo stated that Mayor Mahr was originally in favor of decreasing the interest rate for delinquent taxes but then decided against it.

Councilwoman Habgood feels the message to the residents of Westfield should be that the Town is doing everything it can to help them get through this crisis through well management of the budget, through maintaining a strong "nest egg", and by taking whatever actions it can to help those impacted by the economic complications associated with this pandemic.

Councilman Parmelee mentioned that he is new to the Finance Policy Committee. Discussed Councilman LoGrippo's campaign for reelection in 2019 in which he indicated that he wanted to "reach out across the aisle" and that both sides have maintained a fiscally responsible agenda by working together. Also stated that Councilman LoGrippo supported the 2019 budget and its zero (0%) percent tax increase, so he was aware of the spending that would occur over the course of the year. Feels he and Councilman LoGrippo worked well together during the Finance Policy Committee meetings but believes everyone is losing sight of some things. The first is that the 2020 Municipal Budget is actually less than the 2019 Municipal Budget, as far as the municipal use of the tax dollar is concerned. Explained that this is because the Town had well over a million dollars in non-discretionary increases in taxes. Also stated that the items that Councilman LoGrippo mentioned tonight that were not discussed by the Finance Policy Committee are items that would reduce revenue. In order to offset that loss of revenue the Town would need to utilize more surplus or increase taxes further. Stated that the budget was thoroughly reviewed during Finance Policy Committee meetings and feels there were very innovative approaches to reducing expenses, such as the suggestion to lease the police vehicles that are needed rather than purchasing them. This resulted in a fifty (50%) percent reduction in costs. Feels the budget that has been presented puts the Town on the best path forward. Also feels the purpose of surplus is to use it in instances such as this pandemic. Also reiterated Councilman Contract's comment that the \$7 million balance as part of this budget does not reflect what the balance will be by the end of the year. Stated that he would like Councilman LoGrippo to continue to reach across the aisle like he said he would and like he has done in private.

Councilman LoGrippo explained that he feels he was lied to when he was told that the surplus level would remain at \$9.5 to \$10 million and that did not happen, and many capital projects will not move forward this year.

Councilman Contract noted that the surplus balance ended the year at \$11.5 million and feels Councilman LoGrippo is misleading residents because he knows that surplus always begins at one level and ends at another level.

Councilwoman Mackey referred to the discussion of the coffee kiosk and feels it should not be viewed as just a revenue generator, but as something that all who utilize the Raritan Valley train line can see. Stated that it is a historical structure that is owned by the Town and feels it was a reflection on the Town because for many years it was allowed to fall into disrepair. In addition, stated that many commuters were excited when the improvement project moved forward. Also feels it is a quality of life issue for both commuters and residents.

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Contract was adopted by the following roll call vote:

Resolution No. 99

WHEREAS, the Downtown Westfield Corporation Budget of the Town of Westfield's Special Improvement District, County of Union, for the Year 2020:

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Downtown Westfield Corporation Budget for the Year 2020; and

BE IT FURTHER RESOLVED that said Budget be published in THE WESTFIELD LEADER in the issue of May 7, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Westfield does hereby approve the following as the Downtown Westfield Corporation Budget for the year 2020:

DOWNTOWN WESTFIELD CORPORATION SPECIAL IMPROVEMENT DISTRICT 2020 BUDGET

REVENUES

GENERAL REVENUE ANTICIPATED REVENUE

Amount to be raised by

Special Improvement District Assessment \$\frac{\$416,347.00}{\$416,347.00}\$

Total General Revenue \$\frac{\$416,347.00}{\$416,347.00}\$

APPROPRIATIONS

GENERAL APPROPRIATION APPROPRIATIONS 2020

Operating

Salaries & Wages \$254,339.00 Other Expenses \$162,008.00 Total General Appropriations \$416,347.00

Notice is hereby given that the Downtown Westfield Corporation Budget was approved by the Town Council of the Town of Westfield, County of Union, on April 28, 2020.

A hearing on said Budget will be held at the Westfield Municipal Building, Council Chambers, 425 East Broad Street, Westfield, New Jersey 07090 on May 26, 2020 at 8:00 PM at which time and place objections to said Budget for the Year 2020 may be presented by Downtown Special Improvement District taxpayers or other interested person. If the meeting on May 26, 2020 must be held virtually due to COVID-19, the public hearing will be held digitally with a link/meeting ID to be made available on the Town of Westfield's website (www.westfieldnj.gov) in advance of the meeting.

General Ordinance No. 2170

Regarding the following ordinance, Councilwoman Habgood made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2170-_AN ORDINANCE FOR CALENDAR YEAR 2020 TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

The motion was seconded by Councilman Parmelee

Yeas: Habgood Nays: Absent:

Parmalee LoGrippo Katz Mackey Contract Dardia Boyes

Mayor Brindle

Heretofore introduced, General Ordinance No. 2170 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 12th day of May 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

Reports of Department Heads

ADJOURNMENT

A motion to adjourn, made by Councilman Dardia and seconded by Councilman Parmelee at 10:12 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC Town Clerk